

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **December 13, 2005**

AGENDA ITEM NO.: 11

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Removal Of Illegal Signs From The Public Rights-Of-Way**

RECOMMENDATION:

Adopt an Ordinance authorizing citizens to remove signs that are illegally placed in the public rights-of-way.

SUMMARY:

Section 3-3 of the City Code makes it an offense for anyone but the City to install signs or similar structures in the public rights-of-way. However, many citizens ignore this prohibition. The Department of Community Planning has stepped up its enforcement efforts concerning signs that are illegally placed in the public rights-of-way and has removed over 250 signs. However, Community Planning does not have unlimited resources to devote to the removal of illegal signs. The proposed amendment to Section 3-3 of the City Code authorizes citizens to remove signs that are illegally placed in the public rights-of-way and also provides that no legal action may be brought against a citizen who removes an illegal sign. The suggested amendment is similar to an ordinance in the Richmond City Code and will help facilitate the removal of illegally placed signs within the City.

PRIOR ACTION(S): None

FISCAL IMPACT: None

CONTACT(S): Walter C. Erwin, 455-3973

ATTACHMENT(S): An Ordinance amending Section 3-3 of the City Code

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT SECTION 3-3 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO THE PLACEMENT OF SIGNS IN THE PUBLIC RIGHTS-OF-WAY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 3-3 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 3-3. Signs in public rights-of-way.

(a) Except for the city, no one shall install any signs, banners, billboards or similar structures or objects in the public rights-of-way.

(b) Any violation of this section is hereby declared to be a nuisance. No person shall have any legal right to the continued presence of a sign in a public right-of-way in violation of this section, nor is there any legal remedy against any person solely for the removal from a public right-of-way of a sign which is in violation of this section. Any person may abate the nuisance created by a violation of this section without liability for doing so. If abatement is made by the city, the reasonable costs incurred in removal may be assessed against any person responsible for or benefited by the violation, and such costs shall be collected in the same manner as city taxes. For a willful violation, the city shall be entitled to recover costs, the reasonable value of attorney's fees, and punitive damages in any proceeding which it may bring to enjoin future violations.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

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